

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

05-CR-6011L

v.

LORAL RICHARD HUFFMAN,

Defendant.

Defendant Loral Richard Huffman (“Huffman”) has once again filed a *pro se* motion, although he is represented by counsel. Huffman has been advised on numerous occasions not to file such *pro se* motions.

Huffman now moves (Dkt. # 78) for this Court to recuse itself from the pending case, 05-CR-6011. The only basis for the motion is that the case involves United States District Judge Charles Siragusa, a member of this Court.

The motion to recuse is denied. The pending indictment which was recently scheduled for trial on May 12, 2008, has been handled by this Court for many months. The motion must be denied because it has nothing whatsoever to do with District Judge Siragusa.

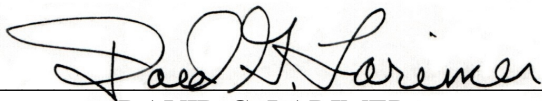
The pending indictment contains eleven counts involving the mailing of threatening communications and communicating false information that certain consumer products were tainted.

Judge Siragusa was previously assigned to the case, but it has now been transferred to this Court. Judge Siragusa is not named in the indictment, is not a victim in that indictment and would not be called as a witness.

CONCLUSION

Defendant Loral Richard Huffman's *pro se* motion to recuse this Court (Dkt. # 78) is in all respects denied.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
July 28, 2008